VIA E-MAIL

The Honorable Sheldon A. Neeley
Mayor of Flint
1101 South Saginaw Street
Flint, Michigan 48502

Dear Mayor Neeley:

SUBJECT:  Lead and Copper Monitoring of Drinking Water Taps

After review by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) of the documentation that has been submitted by the city of Flint (City) for the most recent round of lead and copper monitoring of drinking water taps from July 1, 2019, to December 31, 2019, it has been determined the City is below the Action Levels (AL) as summarized below:

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>AL</th>
<th>MCLG*</th>
<th>90th Percentile Value</th>
<th>Number of Samples Above AL</th>
<th>Range of Individual Results</th>
<th>Typical Source of Contaminant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead</td>
<td>15 parts per billion (ppb)</td>
<td>0</td>
<td>0-4 ppb</td>
<td>2</td>
<td>0-23 ppb</td>
<td>Corrosion of household plumbing systems; service lines that may contain lead; Erosion of natural deposits</td>
</tr>
<tr>
<td>Copper</td>
<td>1,300 ppb</td>
<td>1,300</td>
<td>0-60 ppb</td>
<td>0</td>
<td>0-370 ppb</td>
<td>Corrosion of household plumbing systems; Erosion of natural deposit</td>
</tr>
</tbody>
</table>

*MCLG: Maximum contaminant level goal means the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
Sample Reporting and 90th Percentile Calculation
EGLE received your Lead and Copper Report form on February 14, 2020, and minor updates on February 20, 2020. Included with the form were the results of the samples collected from 123 sites during the July 1, 2019, to December 31, 2019, monitoring period. After the exclusion of some sample results due to invalidation under the Lead and Copper Rule (LCR), the remaining 49 verified Tier 1 sites were used to calculate the 90th percentile value of 4 ppb for lead. To compare this to previous monitoring periods where only a 1st draw sample was used to calculate compliance, the 90th percentile value would have been 3 ppb.

While this number of Tier 1 sites falls short of the required 60 needed for compliance, we recognize the City put forth a tremendous effort in trying to achieve its obligation. Information about this monitoring violation are detailed under separate cover.

Continue Corrosion Control Treatment
The City must continue corrosion control treatment and continue to maintain water quality parameter levels to reduce the amount of lead and copper leaching into the drinking water. The City must also continue monitoring its corrosion control treatment on a daily basis to ensure proper operation is maintained. In addition, the City must continue monitoring water quality throughout the distribution system to demonstrate the effectiveness of the City’s corrosion control treatment. Finally, the City has a contract to develop a Distribution System Optimization Plan. When the Plan is complete, additional, long-term measures may be required to provide optimal corrosion control treatment.

Continue Lead Service Line Replacement
To remain in compliance with the terms of the Concerned Pastors for Social Action Settlement Agreement (Settlement Agreement), we continue to support the City’s intentions of continuing to locate and replace lead service lines throughout the City.

Conduct Water Quality Parameter (WQP) Monitoring
Continue to conduct WQP monitoring and meet the WQP levels for pH and orthophosphate residuals as required by the October 30, 2015; December 13, 2017; and June 6, 2019 correspondence from this department. Also, continue to submit to EGLE the Weekly Enhanced Water Quality Parameters.

Lead and Copper Tap Monitoring
Your next round of lead and copper tap monitoring must be conducted between January 1, 2020, and June 30, 2020. In reference to the letter dated June 29, 2018, from Mr. Bincsik, we acknowledge that F&V Operations had begun overseeing this responsibility on behalf of the City as of July 1, 2018. You are required to collect a minimum of two (2) (a 1st and 5th liter) tap samples per site, from 60 Tier 1 sites (120 total samples). In accordance with Paragraph 49 of the Settlement Agreement, half of the minimum number of samples (60), or 30 individual sites, must be sampled during the months of May and June 2020. Select the same sites used in previous monitoring
periods unless sites no longer meet Tier 1 criteria. If a site no longer meets Tier 1 criteria, it must be replaced by another confirmed Tier 1 site, or a Tier 2 site if Tier 1 sites are not available, to maintain the required number of sites. Written documentation explaining the reason for any changes in sampling sites, including the service line material composition, must be provided to EGLE. An updated version of your sampling plan should be submitted to EGLE during each six-month monitoring period.

New Michigan Lead and Copper Rule Revisions

Consumer Confidence Report (CCR)
Results of 2019 compliance monitoring must be included in your CCR, which is due to our office, your customers, and the local health department by July 1, 2020. However, we encourage the City to provide this CCR to residents as soon as practical. You may use the table format from page 1 of this letter.

For additional information on CCR requirements, visit EGLE’s Web site at www.Michigan.gov/DrinkingWater. Click on Community Water Supply and then the Consumer Confidence Report Rule link under Laws and Rules.

Summary of Upcoming Requirements

<table>
<thead>
<tr>
<th>Complete By</th>
<th>Requirement</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>Ongoing</td>
<td>Collect WQP samples.</td>
<td>Continue to collect required WQP samples.</td>
</tr>
<tr>
<td>Between January 1 and June 30, 2020</td>
<td>Collect samples from 60 properly tiered sites (1st/5th liters, 120 total samples) within the distribution system and have them analyzed for lead and copper. At least 30 sites (60 samples) must be collected during May and June 2020.</td>
<td>Report the results to EGLE and deliver the customer notice of individual results using the downloadable Lead and Copper Report and Consumer Notice of Lead Result Certificate. Report due by July 10, 2020.</td>
</tr>
<tr>
<td>March 30, 2020</td>
<td>For the July 1-December 31, 2019 monitoring period, send EGLE a signed copy of the Consumer Notice of Lead and Copper Results Certificate.</td>
<td>Download Consumer Notice of Lead and Copper Results Certificate in word or PDF format from <a href="http://www.Michigan.gov/LCR">www.Michigan.gov/LCR</a>.</td>
</tr>
<tr>
<td>July 1, 2020</td>
<td>Report 2019 90th percentile values in the CCR.</td>
<td>Specific lead health effects language must be included.</td>
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Thank you for your prompt attention to this matter. We will continue to offer assistance in implementing these regulations. If you have questions, please contact me at 517-284-6544; OswaldE1@Michigan.gov; or EGLE, Drinking Water and Environmental Health Division, P.O. Box 30817, Lansing, Michigan 48909-8311.

Sincerely,

Eric J. Oswald, Director
Drinking Water and Environmental Health Division

cc: Ms. Angela Wheeler, City Attorney, City of Flint
Mr. Clyde Edwards, City Administrator, City of Flint
Mr. Robert Bincsik, Director, Department of Public Works, City of Flint
Mr. Robert Jones, Contract Operator in Charge, F & V Operations
Ms. Sarah Tallman, Natural Resources Defense Council
Mr. Michael D. Harris, Acting Director, Enforcement and Compliance Assurance Division, United States Environmental Protection Agency (USEPA), Region 5
Ms. Nefertiti DiCosmo, Acting Chief, Ground Water Drinking Water Branch, USEPA, Region 5
Ms. Elizabeth Murphy, USEPA, Region 5
Mr. Richard Kuhl, Michigan Department of Attorney General
Ms. Liesl Eichler Clark, Director, EGLE
Mr. Aaron B. Keatley, Chief Deputy Director, EGLE
Ms. Amy Epkey, Senior Deputy Director, EGLE
Mr. George L. Krisztian, EGLE